



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,620	08/30/2001	Junichi Iwasaki	M72-135694M/MTV	6739
30743	7590	08/17/2004	EXAMINER	
WHITHAM, CURTIS & CHRISTOFFERSON, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190				WU, XIAO MIN
ART UNIT		PAPER NUMBER		
		2674		

DATE MAILED: 08/17/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/941,620	IWASAKI, JUNICHI	
	Examiner	Art Unit	
	XIAO M. WU	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 February 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 2-17 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 2,3 and 7-17 is/are rejected.
 7) Claim(s) 4-6 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. The indicated allowability of claims 2-17 is withdrawn in view of the newly discovered reference(s) to Buras, Jr. et al. (US Patent No. 5,559,672), Armstrong (US Patent No. 6,198,473) and Ackeret (US Patent No. 4,807,749). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 2-3, 7-11, 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US Patent No. 6,055,592) in view of Buras, Jr. et al. (US Patent No. 5,559,672).

As to claim 2, Smith discloses a mouse connected to a personal computer (212) comprising: a casing body (100), provided with a space (106) for housing a data storage medium (104) therein; a data processor (202, 204), which communicates data between the personal computer and the data storage medium housed in the casing body.

It is noted that Smith does not disclose a door member which covers an opening formed on the casing body, through which the data storage medium is inserted or ejected, in a closed

Art Unit: 2674

position thereof, wherein the door member constitutes a part of an outer face of casing body at the close positioned thereof.

Buras is cited to teach a door apparatus for a portable computer memory card (see Figs. 1 and 2). The memory card aperture 24 is covered by pivotable first and second doors 34, 36 that substantially cover the memory card aperture (24). It would have been obvious to one of ordinary skill in the art to have modified Buras with the features of the door for a memory card as taught by Buras so as to prevent dirt getting into the memory storage space.

As to claim 3, Buras discloses a pair of first doors (34, 36) which is pivotable laterally (see Fig. 4).

As to claim 7, Buras discloses an urging member (52, 54, 56) which urges the door member toward the closed position.

As to claims 8, 9, Buras discloses a button member or ejector, which opens the door member against the urging force of the urging member when the button member is depressed (col. 6, lines 53-60).

As to claim 10, 13, Buras discloses the ejector includes a slider (44, 46) which is supported within the casing so as to be slidable in an inserting/ejecting direction of the data storage medium.

As to claim 11, it would have been obvious to designed a slider which can be fitted for the size or the shape of the memory card.

As to claim 14, Smith discloses the mouse comprising a cable ((108)).

Art Unit: 2674

5. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US Patent No. 6,055,592) in view of Buras, Jr. et al. (US Patent No. 5,559,672) as applied to claims 1-2, 7-11, 13-14 above, and further in view of Armstrong (US Patent No. 6,198,473).

As to claims 15-17, it is noted that both Smith and Buras do specifically disclose the cable is connected to a USB or PS/2 standard connector. It is also noted that both Smith and Buras do not disclose that the mouse is a wireless mouse. Armstrong is cited to teach a mouse can be either a wireless or cable connection mouse (see col. 1, line 41). Armstrong further discloses the mouse can be connected to a USB or PS/2 standard connector of the PC (col. 22, lines 31). It would have been obvious to one of ordinary skill in the art to have modified Smith as modified with the features of the wireless mouse and the USB or PS/2 standard connector for a wire connection mouse as taught by Armstrong because the wireless mouse can provide a convenient way for controlling the cursor and the USB or PS/2 is a standard connector for the mouse connecting to the PC.

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US Patent No. 6,055,592) in view of Buras, Jr. et al. (US Patent No. 5,559,672) as applied to claims 1-2, 7-11, 13-14 above, and further in view of Ackeret (US Patent No. 4,807,749).

As to claim 12, it is noted Smith and Buras do not teach the slider includes a moveable member which is exposed to the outside of the casing body. Ackeret is cited to teach a storage device which includes a moveable housing which is exposed to the outside of the casing body so as to be movable in the inserting/ejecting direction of the data storage medium (see Fig. 3). It would have been obvious to one of ordinary skill in the art to have modified Smith and Buras

Art Unit: 2674

with the movable housing as taught by Ackeret, so that the user can change the memory medium from outside of the device.

Allowable Subject Matter

7. Claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The US patent No. 6,417,911 is cited to teach a door for a memory card device (see Figs. 6 and 7).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

Application/Control Number: 09/941,620

Page 6

Art Unit: 2674

xw

August 14, 2004


XIAO WU
PRIMARY EXAMINER
ART UNIT 2674